

**OFFICE OF THE MISSISSIPPI SECRETARY OF STATE BUSINESS  
REGULATION AND ENFORCEMENT DIVISION**

<b>IN THE MATTER OF:</b>	)
	)
<b>KIDS WISH NETWORK</b>	)
<b>160 Scarlet Boulevard</b>	)
<b>Oldsmar, Florida 34677</b>	)
	)
<b>TELECOM ENTERPRISES OF</b>	)
<b>MISSISSIPPI</b>	)
<b>2025 Shady Crest Drive</b>	)ADMINISTRATIVE PROCEEDING
<b>Birmingham, Alabama 35216</b>	)NUMBER: <u>C-05-0088</u>
	)
<i><u>Respondents</u></i>	)

**CONSENT AGREEMENT**

I.

This agreement is hereby entered into between the State of Mississippi, Secretary of State's Office, Business Regulation and Enforcement Division (hereinafter "Division"), by and through James O. Nelson, II, Assistant Secretary of State, and KIDS WISH NETWORK (hereinafter "KWN"), by and through its agent and TELECOM ENTERPRISES OF MISSISSIPPI (hereinafter "TEM"), by and through its agent.

The Division, having the power to administer and to provide for the enforcement of all provisions of the Mississippi Charitable Solicitations Act (hereinafter "Act"), and Respondents do hereby enter into this Consent Agreement in resolution of the following allegations by the Division of violations of certain provisions of the Act:

1. On January 2, 2005, KWN's charitable registration expired with the Division.

2. Section 79-11-503(6) of the Act prohibits charitable organizations from continuing to solicit contributions in Mississippi after the date the organization should have filed, but failed to file, a renewal with the Division.
3. KWN failed to renew its registration with the Division before continuing to solicit contributions in Mississippi. Thus, KWN violated Miss. Code Ann. §79-11-503(6).
4. Section 79-11-519(5)(a) of the Act prohibits professional fund-raisers from performing any services on behalf of an unregistered charitable organization. Because TEM solicited contributions on behalf of KWN, while that organization was not registered with the Division, TEM violated Miss. Code Ann. §79-11-519(5)(a).

## II.

Respondents, under the terms of this consent agreement and solely for the purpose of resolving the foregoing allegations, stipulate without a hearing to the matters set forth above in Section I and hereby consent to the issuance of this Consent Agreement and further consent to and agree to the undertakings contained herein. Furthermore, the undersigned agents for the Respondents acknowledge that they have been lawfully vested with the authority to enter into this Consent Agreement on behalf of the Respondents.

## III.

THEREFORE, in consideration of a final resolution of the matters set forth in

Section I herein, the Division and Respondents hereby agree and stipulate to the following:

1. The Division shall impose a penalty upon KWN in the amount of Five Thousand Dollars (\$5,000.00) in order to resolve the alleged violations set forth in Section I herein. KWN shall remit payment to the Division, payable to the "Mississippi Secretary of State" upon execution of this agreement.
2. The Division shall impose a penalty upon TEM in the amount of Five Thousand Dollars (\$5,000.00) in order to resolve the alleged violations set forth in Section I herein. KWN shall remit payment to the Division, payable to the "Mississippi Secretary of State" upon execution of this agreement.
3. This Consent Agreement is in resolution of the matters contained in Section I herein. Thus, any matters in Section I herein will not be used as a basis for action by the Division except as set forth in Paragraph IV *infra*.

#### IV.

In the event Respondents fail or neglect to comply with any of these agreements, stipulations or undertakings set forth in this Consent Agreement, the Division may, without notice to Respondents, unilaterally rescind this Agreement and institute any legal or administrative proceedings it deems appropriate, but not limited to, proceedings to

address the matters set forth in Paragraph I. *supra*. The Division reserves the right to consider the violations described herein should Respondents violate the Act in the future.

ERIC CLARK  
Secretary of State

By:

  
JAMES O. NELSON, II  
Assistant Secretary of State

Date:

3/29/2005

KIDS WISH NETWORK

By:

(Signature)

  
MARK BRENNER

(Print Name)

Date:

3-31-05

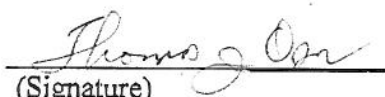
PRESIDENT

(Title)

TELECOM ENTERPRISES OF MISSISSIPPI

By:

(Signature)

  
Thomas J. Oser

(Print Name)

Date:

4/5/05

President

(Title)